

### **REMARKS/ARGUMENTS**

Claims 23-34 are pending.

Claims 1-22 and 35-56 have been previously canceled, without prejudice.

Claim 23 stands rejected.

Claims 24-29 stand objected to.

Claims 30-34 are allowed.

Claims 23, 25, 28 and 30 have been amended. Support for these amendments can be found throughout the specification and drawings, as originally filed.

Claim 24 has been canceled, without prejudice.

### **35 USC §103(a) REJECTION**

Claim 23 is rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 5,412,512 in view of U.S. Patent No. 4,475,100 to Duh, European Patent No. EP 0761502 and U.S. Patent No. 5,805,366 to McFarland.

The Applicants respectfully traverse the 35 USC §103(a) rejection of claim 23.

The standard for obviousness is that there must be some suggestion, either in the reference or in the relevant art, of how to modify what is disclosed to arrive at the claimed invention. In addition, "[s]omething in the prior art as a whole must suggest the desirability and, thus, the obviousness, of making" the modification to the art suggested by the Examiner. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 U.S.P.Q.2d (BNA) 1434, 1438 (Fed. Cir.), cert. denied, 488 U.S. 825 (1988). Although the Examiner may suggest the teachings of a primary reference could be modified to arrive at the claimed subject matter, the modification is not obvious unless the prior art

also suggests the desirability of such modification. *In re Laskowski*, 871 F.2d 115, 117, 10 U.S.P.Q.2d (BNA) 1397, 1398 (Fed. Cir.1989). There must be a teaching in the prior art for the proposed combination or modification to be proper. *In re Newell*, 891 F.2d 899, 13 U.S.P.Q.2d (BNA) 1248 (Fed. Cir. 1989). If the prior art fails to provide this necessary teaching, suggestion, or incentive supporting the Examiner's suggested modification, the rejection based upon this suggested modification is error and must be reversed. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d (BNA) 1566 (Fed. Cir. 1990).

In the interests of expediting the prosecution of the instant application, and without admission that any amendment is necessary, the Applicants have amended claim 23 to recite, among other things, a mirror assembly for a vehicle comprising: (1) a mirror housing; (2) a first reflective element having a first field of view; (3) a second reflective element having a second field of view, the second field of view being wider than the first field of view, wherein the first and second reflective elements are operably associated with the mirror housing; and (4) an indicator light assembly for generating a light signal, the indicator light assembly operably associated with the mirror housing, wherein the indicator light assembly comprises: (a) a light source; and (b) a lens for focusing light generated by the light source, wherein the light source and the lens are operably associated with the mirror housing.

As the Examiner has acknowledged in the instant Office Action, neither Zebold et al., Duh, Baader, or McFarland, either alone or in combination therewith, suggests such an apparatus as recited in claim 23, as amended.

Accordingly, the Applicants submit that the 35 USC §103(a) rejection of claim 23 has been overcome.

### **DRAWING OBJECTION**

The drawings stand objected to under 37 CFR 1.83(a).

The Applicants respectfully traverse the 37 CFR 1.83(a) objection to the drawings.

In the interests of prosecuting the instant application, and without admission that any amendment is necessary, the Applicants have amended claim 23 to remove any reference to the allegedly un-shown features of the invention, i.e., the backing assembly. The Applicants aver that no new matter has been entered.

Accordingly, the Applicants submit that the 37 CFR 1.83(a) objection to the drawings has been overcome.

### **ALLOWABLE CLAIMS**

Claims 24-29 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In the interests of prosecuting the instant application, and without admission that any amendment is necessary, the Applicants have amended claim 23 to substantially incorporate the subject matter of claim 24 therein. Claim 24 has been canceled, without prejudice. Accordingly, the Applicants submit that claim 23 and the remaining claims dependent thereon, i.e., 25-29, are now in a condition for allowance.

### **ALLOWED CLAIMS**

Claims 30-34 are allowed. In the interests of prosecuting the instant application, and without admission that any amendment is necessary, the Applicants have amended claim 30 to remove any reference to the allegedly un-shown features of the invention, i.e., the backing assembly. The Applicants aver that no new matter has been entered.

### **CONCLUSION**

In view of the foregoing, the Applicants respectfully request reconsideration and reexamination of the Application. The Applicants respectfully submit that each item raised by the Examiner in the Office Action of July 15, 2004 has been successfully traversed, overcome or rendered moot by this response. The Applicants respectfully submit that each of the claims in this Application is in condition for allowance and such allowance is earnestly solicited.

The Examiner is invited to telephone the Applicants' undersigned attorney at (248) 364-4300 if any unresolved matters remain.

Any needed extension of time is hereby requested with the filing of this document.


The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 501612. A duplicate copy of this letter is enclosed herewith.



Respectfully submitted,

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